

Resolution No.:	<u>18-475</u>
Introduced:	<u>May 16, 2016</u>
Adopted:	<u>May 16, 2016</u>

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: Government Operations and Fiscal Policy Committee

SUBJECT: Amendment to Resolution No. 18-461 concerning the Collective Bargaining Agreement with Municipal & County Government Employees Organization

Background

1. Section 511 of the County Charter authorizes the County Council to provide by law for collective bargaining, with arbitration or other impasse resolution procedures, with authorized representatives of County Government employees.
2. Chapter 33, Article VII of the County Code implements Section 511 of the Charter and provides for collective bargaining by the County Executive with the certified representatives of County employees and for review of the resulting contract by the County Council.
3. On April 1, 2016, the County Executive submitted to the Council a collective bargaining agreements between the County government and Municipal and County Government Employees Organization effective July 1, 2016 through June 30, 2017.
4. The Executive has submitted to the Council the terms and conditions of the Agreements that require or may require an appropriation of funds or changes in any County law or regulation.
5. The joint Government Operations and Fiscal Policy Committee and Education Committee considered the Agreements and made recommendations on April 21, 2016.
6. The County Council has considered these terms and conditions and is required by law to indicate on or before May 1 its intention regarding the appropriation of funds or any legislation or regulations required to implement the agreements.
7. The County Council adopted Resolution No. 18-461 on April 26, 2016 indicating its intent to reject the:
 - (a) 3.5% service increment for each bargaining unit member whose service increment was deferred during FY11, FY12, or FY13, and who is otherwise eligible, effective the first pay period after May 1, 2017; and

- (b) group insurance provisions in the Agreement.
 - (c) domestic partner benefits for opposite sex couples.
8. The Executive and MCGEO renegotiated the Agreement and the Executive submitted the revised Agreement to the Council for consideration on May 9, 2016. The revised Agreement changes the effective date of the rejected second service increment to the first pay period after June 24, 2017.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

The County Council intends to approve each of the provisions of the Agreement subject to Council review for FY17 except:

- 1. The 3.5% service increment for each bargaining unit member whose service increment was deferred during FY11, FY12, or FY13, and who is otherwise eligible, effective the first pay period after June 24, 2017.
- 2. Domestic partner benefits for an opposite sex domestic partner, effective January 1, 2017.
- 3. The Council intends to reject the group insurance benefits in the agreement. The Council intends to approve the group insurance provisions as they were included in the Executive's Recommended FY16 operating budget, including a Medicare Part D Employer Group Waiver Prescription Drug Plan for Medicare-eligible retirees. To the extent that this approval is inconsistent with any provision of the collective bargaining agreement, that provision is disapproved.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council

**AMENDMENT TO
MEMORANDUM OF AGREEMENT
BETWEEN
THE MONTGOMERY COUNTY GOVERNMENT
AND THE
MUNICIPAL & COUNTY GOVERNMENT EMPLOYEES ORGANIZATION, UFCW, LOCAL 1994**

The Montgomery County Government (Employer) and the United Food and Commercial Workers, Local 1994, Municipal & County Government Employees Organization (Union), conducted negotiations pursuant to Section 33-108 of the Montgomery County Code for the term July 1, 2016 through June 30, 2017. As a result of the negotiations, the Employer and Union entered into a Memorandum of Agreement between the Montgomery County Government and the Municipal & County Government Employees Organization, UFCW, Local 1994 (the Agreement). The Agreement is attached hereto and incorporated herein. Pursuant to Section 33-108 of the Montgomery County Code, the County Council, by resolution adopted April 26, 2016, indicated its intent not to appropriate funds for certain portions of the Agreement. Thereafter, the Employer and Union met and agreed to the following amendment to the Agreement. This amendment replaces the language found in Article 6.9, Service Increments, of the Agreement with the language stated below. All other parts of the Agreement remain the same.

Please use the following key when reading this agreement:

<u>Underlining</u>	<i>Added to existing agreement.</i>
[Single boldface brackets]	<i>Deleted from existing agreement.</i>
* * *	<i>Existing language unchanged by parties.</i>

The parties agree to amend the contract as follows:

* * *

**ARTICLE 6
SERVICE INCREMENTS**

* * *

- 6.9 Each unit member whose service increment was postponed during FY2011, FY2012, and/or FY2013, and who is otherwise eligible as identified in this article, shall receive a salary adjustment of 3.5 percent effective the pay period beginning June 25, 2017. This salary adjustment of 3.5 percent cancels one of the three previously postponed service increments. The remaining two [All] previously postponed service increments will not be paid in [FY 2016] FY 2017.

* * * * *

IN WITNESS WHEREOF, the parties hereto have caused their names to be subscribed by their duly authorized officers and representatives this 9th day of May 2016.

United Food and Commercial Workers,
Local 1994, Municipal & County Government
Employees Organization

Montgomery County Government
Montgomery County, Maryland

By: *Quetta Luffie for Gino Renne*
Gino Renne
President 5/9/16

By: *Isiah Leggett*
Isiah Leggett
County Executive

[Signature]
Approved for form and legality
County Attorney